IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1020 OF 1997

Mangalam A. Krishnamurthy ..Appellant

versus

Smt. Shakuntala R. Sharma ..Respondent

Mr. M. C. Shah for the Appellants.

Mr. Bhalawal for the Respondent.

CORAM : D. G. DESHPANDE,J.

DATE : 11TH FEBRUARY,2005

ORAL ORDER :

1. Counsel for the Appellant and Respondent present. Appellant and Respondent both are present in person. Appellant is the original plaintiff - purchaser - occupant and the respondent is the original defendant - original owner. Parties have arrived at consent terms. They file consent terms duly signed by them and their respective Advocates. Consent terms taken on record and marked 'X' for identification.

2. Undertaking of the respondent that he will

pay Rs.6 lacs within one month from today is taken on record and accepted as per the consent terms. At the same time undertaking of the appellant that upon receipt of the aforesaid amount he will vacate the suit premises and hand over possession to the respondent, simultaneously is also taken on record. It is also recorded that giving of the amount of Rs.6 lacs by the respondent and handing over possession of the premises by the appellant shall be simultaneously done and all pending proceedings will be withdrawn. Undertaking of the Respondent to withdraw Suit No. 1204 of 1996 filed in Thane court, is also recorded. Appeal disposed of accordingly

2. Parties to act on an ordinary copy of this order duly authenticated by the Court Sheristedar.

11.2.2005 (D.G. DESHPANDE,J.)